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District of Oregon

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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

UNITED STATES OF AMERICA

3:09-CR-00183-BR

Plaintiff/Petitioner,

ORDER OF GARNISHMENT

v.

DONALD DEAN SEYBOLD,

Defendant/Respondent,

and

THE FEDERATED FUNDS,

Garnishee.

A Writ of Garnishment, directed to the above garnishee, The Federated Funds, has been duly issued and served upon the garnishee.

Plaintiff requested the Garnishee to file an answer with the Court, but the Garnishee has failed to do so. Instead, Garnishee informed Plaintiff through

correspondence that it held funds in the amount of \$1,939.04 belonging to Defendant, and, that a stop is placed on those funds until further instructions from the Court. See, Notice filed by Plaintiff at Docket 387.

On January 18, 2012, Defendant requested a hearing on the Writ of Garnishment. The Plaintiff filed a status report and response to Defendant's request for hearing. On February 9, 2012, this Court ordered, Docket 377, that Defendant may file a written response to Plaintiff's status report and response before ruling on his request for hearing. Defendant failed to file a response, and, by Order entered on March 7, 2012, Docket 398, the Court denied Defendant's request for hearing.

IT IS ORDERED that Garnishee, The Federated Funds, convert and liquidate Debtor's Federated Auto Cash Management Account, Number 0000142956 in the amount of \$1,939.04 plus dividends as of February 14, 2012, and, after deduction of any contract withdrawal charges, pay to Plaintiff the balance currently held pursuant to the Writ of Garnishment, which will then be vacated after payment to Plaintiff.

IT IS FURTHER ORDERED that Debtor will be responsible for any and all federal, state and local taxes related to the withdrawal of said net amount from said account, including ten percent (10%) IRS penalty for a premature withdrawal.

Payment shall be made payable to **Clerk of Court** and mailed to **United States**

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District Court Attn: Clerk's Office, 1000 SW Third Avenue, Suite 740, Portland, OR
97204.

Dated this 19th day of March, 2012.



HONORABLE ANNA J. BROWN
United States District Court Judge

PRESENTED BY:

S. AMANDA MARSHALL, OSB #95347
United States Attorney

/s/
ROBERT D. NESLER, OSB # 85379